

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RAHEEM WILLIS,)	
)	
Plaintiff,)	Civil Action No. 19-1196
)	
vs.)	Judge Cathy Bissoon
)	
ROBERT GILMORE, WILLIAM)	Chief Magistrate Judge Cynthia Reed Eddy
NICHOLSON, DENICE SMYTH, M.D., <i>and</i>)	
JOHN AND JANE DOES 1-25,)	
)	
Defendants.		

MEMORANDUM ORDER

This case has been referred to United States Chief Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

After being granted leave to proceed *in forma pauperis*, Raheem Willis’s (“Plaintiff’s”) Complaint was filed on October 22, 2019. (“Complaint,” Doc. 6.) Plaintiff, a prisoner at SCI-Greene, names as Defendants prison officials Robert Gilmore and William Nicholson, (“Corrections Defendants”), and a physician at the facility, Denice Smyth, M.D., (“Dr. Smyth”).

On January 24, 2020, the Corrections Defendants moved to dismiss the Complaint, arguing Plaintiff failed to sufficiently allege personal involvement and that they were immune from suit in their official capacities. (Doc. 17.) Shortly thereafter, Dr. Smyth also moved to dismiss, contending Plaintiff had failed to state a claim as to her. (Doc. 21.)

On May 15, 2020, Judge Eddy issued a Report, (“R&R,” Doc. 32), recommending that the Corrections Defendants’ motion to dismiss be granted and Dr. Smyth’s motion to dismiss be denied. Only Plaintiff filed Objections to the R&R. (Doc. 43.)

After a *de novo* review of the Complaint, both motions to dismiss, and Plaintiff's Objections, together with both the R&R, it is hereby ORDERED that Judge Eddy's R&R, (Doc. 32), is ADOPTED as the opinion of the district court. The motion to dismiss filed by the Corrections Defendants, (Doc. 17), is GRANTED, and Plaintiff's claims as to Defendants Robert Gilmore and William Nicholson are DISMISSED WITH PREJUDICE. Dr. Smyth's motion to dismiss, (Doc. 21), is DENIED.

IT IS SO ORDERED.

August 26, 2020

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

cc (via U.S. Mail):

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